

**BALESTRIERE
FARIELLO**

JOHN G. BALESTRIERE

BALESTRIERE FARIELLO
225 Broadway, 29th Floor
New York, New York 10007
T: +1-212-374-5401
F: +1-212-208-2613
john.balestriere@balestrierefariello.com
www.balestrierefariello.com

February 21, 2018

VIA ECF

Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

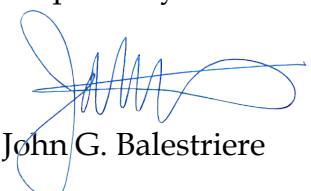
Re: *Lawson et al. v. Rubin et al.*
No. 1:17-cv-06404-BMC

Dear Judge Cogan:

I represent Plaintiffs in the above referenced action. I write regarding the filing of Plaintiffs' Amended Complaint, Dkt No. 66, and the current Motion to Dismiss Schedule ordered on February 2, 2018. Plaintiffs seek the Court's guidance on whether the filing of the Amended Complaint will require a new schedule or whether Plaintiffs' Opposition to Defendants' Motion to Dismiss remains due on Monday, February 26.

The Amended Complaint cures the deficiencies complained of in Defendants' Motions to Dismiss and adds four new Plaintiffs, who are all victims of the Enterprise's racketeering. Counsel for Defendant Powers has indicated his view that the current Motion to Dismiss schedule should remain in place. As of this writing, other counsel have not indicated their view. Plaintiffs understand that if the Court does not otherwise order, the existing schedule remains in place.

Respectfully submitted,



John G. Balestriere

cc: via ECF